

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

No. 7:04-CR-85-1F

UNITED STATES OF AMERICA

v.

GARY EDWARD NIXON,
Defendant.

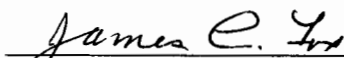
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ORDER

This matter is before the court on the Defendant's Motion and Memorandum in Support of Sentence Reduction [DE-275] and the Defendant's objection to the United States Probation Office's Proposed Order regarding Motion For Sentence Reduction. For the reasons stated in *United States v. Black*, __ F.3d __ (4th Cir. 2013), available at 2013 WL 6354142, which the court adopts herein, the motion is DENIED without prejudice to raise the issue again if *Black* is reversed by the Fourth Circuit sitting *en banc* or the United States Supreme Court. A separate order filed contemporaneously will explain why Nixon is otherwise ineligible for relief under 18 U.S.C. § 3582(c).

SO ORDERED.

This the 1st day of April, 2014.



JAMES C. FOX
Senior United States District Judge